

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

ROBIN RAWLS

PLAINTIFF

VERSUS

CIVIL ACTION NO. 2:22-cv-84-KS-MTP

BONNER ANALYTICAL TESTING COMPANY

DEFENDANT

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, and other applicable law, the Defendant, Bonner Analytical Testing Company (“Bonner”), hereby removes the action entitled “*Robin Rawls versus Bonner Analytical Testing Company*,” Civil Action No. 37:21-CV-137, from the Circuit Court of Lamar County, Mississippi, to the United States District Court for the Southern District of Mississippi, Eastern Division. As grounds for removal, Bonner states as follows:

1. On December 27, 2021, the Plaintiff, Robin Rawls (“Rawls”), filed a Complaint against Bonner in the Circuit Court of Lamar County, Mississippi. Rawls alleges that Bonner discriminated against her based on her sex by terminating her employment during or shortly after her maternity leave. See Complaint, **Exhibit “1”** hereto, at ¶¶ 5-11.

2. On June 8, 2022, Bonner was served with a Summons and a copy of the Complaint.

3. In accordance with 28 U.S.C. § 1446, this Notice of Removal is timely filed within thirty (30) days of the date of service of process upon Bonner.

4. Rawls's Complaint alleges that her termination violated Title VII of the Civil Rights Act of 1964 ("Title VII"), the Americans with Disabilities Act ("ADA"), and the Family and Medical Leave Act ("FMLA"). See Complaint, **Exhibit "1"** hereto, at ¶ 9. Accordingly, this Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1332, and removal is proper pursuant to 28 U.S.C. § 1441.

5. Rawls filed her Complaint in Lamar County, Mississippi, which is a state court within this judicial district and division. Accordingly, this Court represents the proper district and division embracing the place where such action is pending.

6. In accordance with 28 U.S.C. § 1441, *et seq.*, the Circuit Court of Lamar County, Mississippi, will proceed no further with this matter.

7. Bonner will promptly serve Rawls with this Notice of Removal and file a copy with the clerk of the Circuit Court of Lamar County, Mississippi.

8. Nothing in this Notice of Removal should be interpreted as a waiver or relinquishment of the rights of Bonner to assert any defenses available to it, including but not limited to those defenses available under Rule 12 of the Federal Rules of Civil Procedure; namely (1) lack of jurisdiction over the subject matter, (2) lack of jurisdiction over the person, (3) improper venue, (4) insufficiency of process, (5) insufficiency of service of process, and (6) failure to state a claim upon which relief can be granted, or any other pertinent defenses available to Bonner.

RESPECTFULLY SUBMITTED, this the 30th day of June 2022.

**BONNER ANALYTICAL
TESTING COMPANY**

By: /s/ Matthew D. Miller
MATTHEW D. MILLER

Matthew D. Miller (MSB #99210)
Nicholas K. Thompson (MSB #103259)
Andrea Boyles Pacific (MSB #104806)
Copeland Cook Taylor and Bush, P.A.
P.O. Box 17619
Hattiesburg, MS 39404
110 Sheffield Loop (39402)
(601) 264-6670 (phone)
mmiller@cctb.com
nthompson@cctb.com
apacific@cctb.com

Certificate of Service

I, the undersigned attorney of record for the Defendant, hereby certify that I have this day filed a true and correct copy of the above and foregoing document using the Court's MEC electronic filing system, which sent notice of such filing and provided an electronic copy of said document to the following:

Daniel M. Waide
Johnson Ratliff & Waide, PLLC
1300 hardy Street
Hattiesburg, MS 39401
dwaide@jhrlaw.net

This the 30th day of June, 2022.

/s/ Matthew D. Miller
MATTHEW D. MILLER